



MEMORANDUM

To: The Honorable Marianne B. Bowler
U.S. Magistrate Judge

cc: Seth Berman, AUSA
Stephen J. Weymouth, Esquire

From: Tracy J. Weisberg
U.S. Probation Officer Assistant

Re: **Waldir Francisco DeOliveira**
Docket #: 04-10016

Date: November 2, 2005

The purpose of this memorandum is to update Your Honor on the developments of the above case. During the initial hearing yesterday Mr. DeOliveira stated he was residing with his fiancé in Everett and would like to be released to that residence. On this date, November 2, 2005, I spoke to Ms. Maria Mendes in a telephone conference with Claudia Azoff a Portugese interpreter.

I interviewed Ms. Mendes and obtained information regarding the residence and her relationship with Mr. DeOliveira. Ms. Mendes resides at 53 Vernal Street, apartment 1, Everett, MA with her son, age 21 and her sister. Ms. Mendes is not a legal citizen of the United States and stated that her son and sister are not legally residing in the United States either. Ms. Mendes was not aware that a U.S. Probation Officer would be visiting Mr. DeOliveira in her residence on a regular basis. I informed Ms. Mendes our office would have to run a background check on her and anyone residing in the home. Ms. Mendes provided me with her and her son's date of birth but could not recall the date of birth of her sister.

Ms. Mendes stated that she met Mr. DeOliveira approximately 2 years ago but lost contact a short time after meeting him. Approximately 20 days ago Mr. DeOliveira contacted her and they began dating. Ms. Mendes stated Mr. DeOliveira proposed to her 5 days ago and they are to be married tomorrow at 5:00 p.m., but she could not recall any details regarding the ceremony. I asked Ms. Mendes if she was aware of Mr. DeOliveira's criminal history and she stated "no" and that she did not know him that well. She was not aware of his instant offense just that he was in jail.

After my conversation with Ms. Mendes, I contacted Ken Fulful, U.S. Probation Officer in the Southern District of Texas, to gain insight into his knowledge of Mr. DeOliveira. Officer Fulful stated that during his initial interview with Mr. DeOliveira, the day he was released from state custody, he asked him if he wanted to stay in Texas or did he want to return to Massachusetts. Officer Fulful stated that Mr. DeOliveira answered him saying he wanted to stay in Texas as he had no ties in Massachusetts. Mr. DeOliveira stated that he thought he had a friend in Massachusetts but did not. During another office visit, shortly before Mr. DeOliveira absconded, he asked another U.S. Probation Officer to give him some money so he can return to Massachusetts. According to U.S. Probation Officer Fulful the officer stated they could not do that but to speak to Officer Fulful to try and arrange a plan to return to Massachusetts. Mr. DeOliveira absconded prior to speaking to Officer Fulful.

Ms. Mendes does not seem to know Mr. DeOliveira and has no knowledge of his criminal history. Because of the immigration status of the residents, our office does not believe this to be an appropriate address for Mr. DeOliveira. After speaking with my supervisor, Supervising U.S. Probation Officer Jonathan Hurtig, it is our recommendation, due to all of the above facts, Mr. DeOliveira be detained pending his final violation hearing before The Honorable Nancy Gertner.

Reviewed & Approved by:



Jonathan Hurtig
Supervising U.S. Probation Officer